

AMENDED

APPLICATION FOR PERMIT

Serial No. 10030

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT -2 1936
 Returned to applicant for correction APR 19 1937
 Corrected application filed JUN -3 1937

The undersigned David B. Penick Name of applicant
of 520 S. Van Ness Ave., San Francisco County of San Francisco,
 State of Calif., hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Leadville Spring Name of stream, lake, or other source
2. The amount of water applied for is 0.50 second-feet. One-second-foot equals 40 miners' inches
3. The water to be used for Mining, Milling and Domestic Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, T. 37 N., R. 23 E., M.D.B. & M., at a point S. 15° 51'. Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

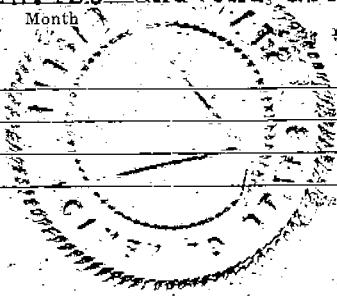
W., 2482 ft. from the north $\frac{1}{4}$ corner of the said Sec. 17.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____ Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
- (c) Use will begin about _____ and end about _____, of each year. Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located on the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream _____ Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered _____
- (h) Use will begin about Jan. 1st and end about Dec. 31st, of each year. Month Month
- (i) Remarks _____



DESCRIPTION OF PROPOSED WORKS

Water will be conveyed by means of a 2 inch pipe to mine and mill.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$50,000

6. Estimated time required to construct works 2 years

7. Remarks

For use of applicant

David B. Penick. , Applicant.

By _____

Compared RMG-CT

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights. It is understood that the 0.5 cubic foot of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second.

Actual construction work shall begin on or before April 15, 1938

Proof of commencement of work shall be filed before May 15, 1938

Work must be prosecuted with reasonable diligence and be completed on or before April 15, 1940

Proof of completion of work shall be filed before May 15, 1940

Application of water to beneficial use shall be made on or before April 15, 1941. Proof of the application of water to beneficial

use must be filed with State Engineer on or before May 15, 1941

Map Filed June 3 1937

Proof of commencement of work filed May 27 1938 WITNESS MY HAND AND SEAL this 19th day

Cancelled JUN 22 1953 cause of failure

of applicant to comply with the provisions of permit

of October, 1937

State Engineer

Alfred Merritt Smith

State Engineer.

Compared RMG-CT